

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

AUG 31 1979

IN REPLY REFER TO:

8330-K

C7-397

Mr. Robert G. Gallie
Citizens Committee on the Media
407 South Dearborn, Room 1000
Chicago, Illinois 60605

Dear Mr. Gallie:

This is in response to your letter of July 2, 1979, received in this office on July 10, in which you complain that radio and television stations in the Chicago area have not provided coverage of the questions raised by proposed Congressional rewrites of the Communications Act of 1934 and Commission deregulation of radio.

You state that radio stations WBBM, WBMX(FM), WGN, WLAK(FM), WLOO(FM), WLS, and television stations WBBM-TV, WCFC, WCIU-TV, WFLD-TV, WLS-TV and WMAQ-TV have failed their first obligation under the Fairness Doctrine to cover controversial issues of public importance; i.e., the proposed changes in broadcast communications regulation. You state that "so far as [you] have determined after exhaustive efforts" the stations in question have not covered the topic "to any significant extent." You believe that the proposals, if implemented, could radically change the communications delivery system, which "intimately affects our lifestyle," and you ask that we require the licensees to present programming on the communications regulation question.

The Communications Act prohibits the Commission from censoring broadcast matter, and it cannot direct broadcasters in the selection or presentation of specific programming. Thus, with certain statutory exceptions, such as "equal time" for political candidates, each licensee is free to carry or reject any programming it chooses.

Under the Fairness Doctrine a broadcast licensee has an obligation to inform its public by broadcasting discussions of controversial issues of public importance. However, not every important topic need be covered. Except in rare instances, decisions regarding which controversial issues to broadcast and how much time to devote to such questions are within the licensee's discretion. In the 1974 Fairness Report, a copy of which is enclosed, the Commission noted that:

[w]e have in the past indicated that some issues are so critical or of such great public importance that it would

Mr. Robert G. Gallie

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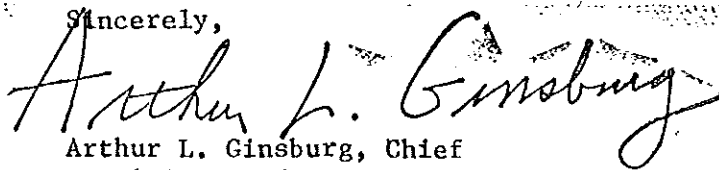
be unreasonable for a licensee to ignore them completely... But such statements on our part are the rare exception, not the rule, and we have no intention of becoming involved in the selection of issues to be discussed, nor do we expect a broadcaster to cover each and every important issue which may arise in his community.

In this case, assuming that the communications regulation question constitutes a controversial issue of public importance, you have not shown that the issue is "so critical or of such great public importance" to require its coverage by licensees in your area. Without such showing, we cannot properly intervene.

In light of the foregoing, Commission action on your complaint is inappropriate.

Staff action is taken here under delegated authority. Application for Review by the full Commission may be requested within 30 days by writing the Secretary, Federal Communications Commission, Washington, D.C. 20554, stating the factors warranting consideration and, if mailed, should be sent by certified mail. Copies must be sent to the parties to the complaint. See Code of Federal Regulations, Volume 47, Section 1.115.

Sincerely,



Arthur L. Ginsburg, Chief
Complaints and Compliance Division
Broadcast Bureau

Enclosure

cc: All stations listed above.